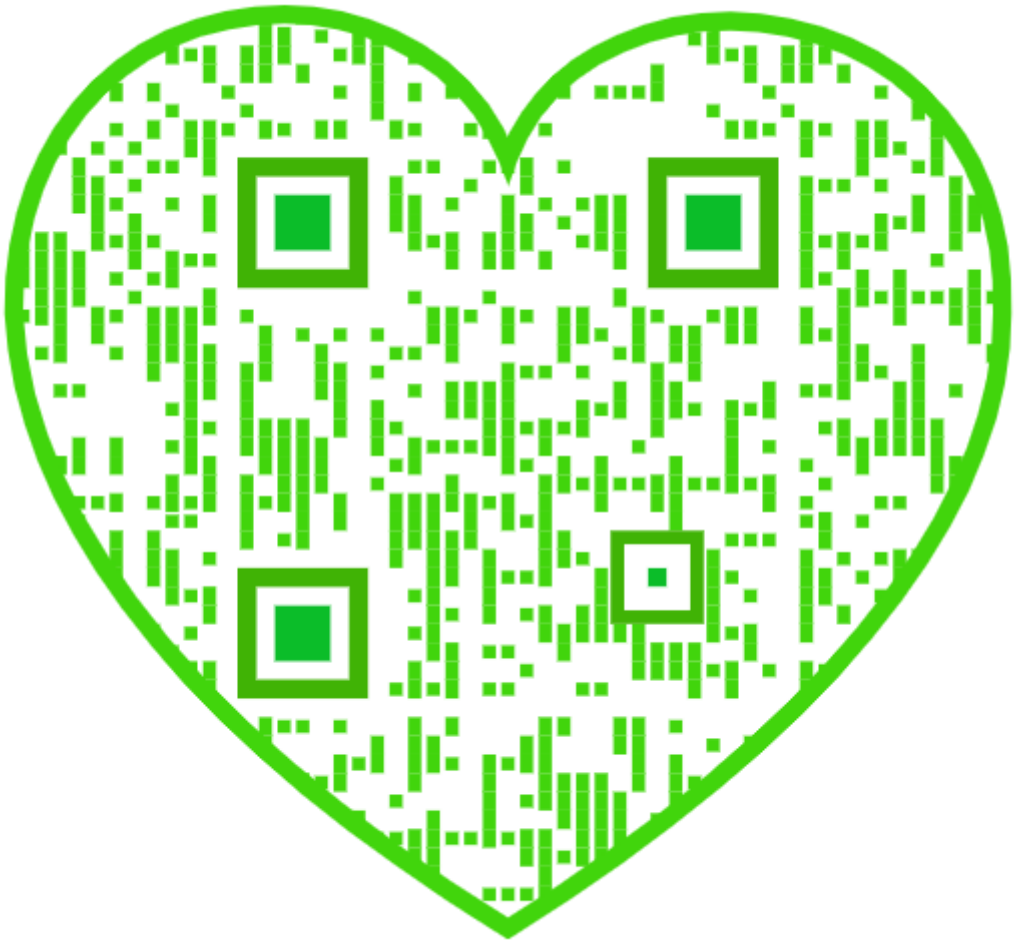
KK6325
1917
F6

Government in Iowa



LIBRARY OF CONGRESS
0 029 827 434 6

Hollinger
pH 8.5
Mill Run F03-2193

JK 6325
1917
.F6
Copy 1

GOVERNMENT IN IOWA

A SUPPLEMENT TO S. E. FORMAN'S
"ADVANCED CIVICS" AND ALSO
TO HIS "AMERICAN REPUBLIC"

NEW YORK
THE CENTURY CO.
1917

JK6325
1917
.F6

Copyright, 1917, by
The Century Co.

OCT -6 1917

©CLA473901

no. 1.

GOVERNMENT IN IOWA

A GOVERNMENT OF THE PEOPLE

(Supplementing "Advanced Civics," 9-15; "The American Republic," 3-9.)

In Iowa the principles of popular government are fully recognized. In the preamble of the State constitution it is declared that a free and independent government for the State of Iowa is ordained and established in the name of the people. The bill of rights declares that all political power is inherent in the people; that government is instituted for the protection, security and benefit of the people; and that the people have the right at all times to alter or reform the government whenever the public good may require it. In the selection of officers the principles of popular election and majority rule are applied. When there are but two candidates for an office the election is decided by a majority of voters. When there are more than two candidates for the same office a plurality of votes elects. Thus it may be truly said that in Iowa government is of the people, for the people and by the people.

A REPRESENTATIVE GOVERNMENT

(Supplementing "Advanced Civics," 17-22; "The American Republic," 10-14.)

Government in Iowa is representative in character. Public affairs are conducted in accordance with the principles of representative democracy. Officers are elected for short terms and in the selection of officers the rule "so many peo-

ple so many representatives,'' is quite faithfully adhered to. Representatives in the law-making body of the State must be residents of the district which they are chosen to represent. Such representatives are vested with the power which is inherent in the people and act in the name and authority of the people.

THE THREE DEPARTMENTS OF GOVERNMENT

(Supplementing ''Advanced Civics,'' 20-29; ''The American Republic,'' 16-20.)

In Iowa the powers of government are distributed to three departments, and the lines which separate these departments are sharp and clear. ''The powers of the government of Iowa,'' says the constitution, ''shall be divided into three separate departments—the legislative, the executive and the judicial—and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any function appertaining to either of the others, except in cases expressly directed or permitted.'' Although a person exercising power belonging to one of the three departments may not exercise any function belonging to either of the others, the judicial department may nevertheless pass judgment upon the acts of the officers of any of the three departments. Moreover, the judicial department may declare an act of the legislative department null and void when such act is violative of the express terms of the constitution.

CONSTITUTIONAL GOVERNMENT IN IOWA

(Supplementing ''Advanced Civics,'' 31-37; ''American Republic,'' 22-26.)

Iowa has had two constitutions. The first was drawn up by a convention meeting at Iowa City and was adopted by the people at an election held in 1846, the year in which Iowa was admitted to the Union. The constitution of 1846

remained in force until 1857, when a new constitution was framed by a constitutional convention, submitted to the people, and ratified by them. The constitution of 1857 has remained in force until the present time. It has been amended from time to time but in its main features it stands as it was originally drawn.

The method of amending the constitution is as follows:

> Any amendment or amendments to this constitution may be proposed in either house of the general assembly; and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment shall be entered on their journals, with the yeas and nays taken thereon, and referred to the legislature to be chosen at the next general election, and shall be published, as provided by law, for three months previous to the time of making such choice; and if, in the general assembly so next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the general assembly to submit such proposed amendment or amendments to the people in such manner, and at such time as the general assembly shall provide; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the general assembly, voting thereon, such amendment or amendments shall become a part of the constitution of this State.
>
> If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.

When it is desired to revise the constitution a constitutional convention may be called. The process of securing such a convention is as follows:

> At the general election to be held in the year one thousand eight hundred and seventy, and in each tenth year thereafter, and also at such times as the general assembly may, by law, provide, the question, "Shall there be a convention to revise the constitution, and amend the same?" shall be decided by the electors qualified to vote for members of the general assembly; and in case a majority of the electors so qualified, voting at such election for and against such proposition, shall decide in favor of a convention for such purpose, the general assembly, at its next session, shall provide by law for the election of delegates to such convention.

LOCAL GOVERNMENT IN IOWA

(Supplementing "Advanced Civics," 72-78; "The American Republic," 51-56.)

In Iowa the affairs of a locality are administered in accordance with the principles of local self-government. Under the constitution the legislature has the power to pass laws for the government of counties, townships, cities and towns. The legislature may increase or diminish the powers of the local governments and may make changes in their organization, but when dealing with the local governments the legislature must pass uniform laws, treating all civil divisions of the same kind in the same way, as far as possible. The leading officers of the local governments are in all cases chosen by the people.

CIVIL RIGHTS IN IOWA

(Supplementing "Advanced Civics," 95-101; "The American Republic," 73-78.)

The civil rights enjoyed by the citizens of Iowa are enumerated in the bill of rights of the State constitution, and are as follows:

All men are, by nature, free and equal, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety and happiness.

All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people, and they have the right, at all times, to alter or reform the same, whenever the public good may require it.

The general assembly shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; nor shall any person be compelled to attend any place of worship, pay tithes, taxes, or other rates, for building or repairing places of worship, or the maintenance of any minister or ministry.

No religious test shall be required as a qualification for any office of public trust, and no person shall be deprived of any of his rights, privileges, or capacities, or disqualified from the performance of any of his public or private duties, or rendered incompetent to give evidence in any court of law or equity, in consequence of his opin-

ions on the subject of religion; and any party to any judicial proceeding shall have the right to use as a witness, or take the testimony of, any other person, not disqualified on account of interest, who may be cognizant of any fact material to the case; and parties to suits may be witnesses, as provided by law.

Any citizen of this State who may hereafter be engaged, either directly or indirectly, in a duel, either as principal or accessory before the fact, shall forever be disqualified from holding any office under the constitution and laws of this State.

All laws of a general nature shall have a uniform operation; the general assembly shall not grant to any citizen or class of citizens, privileges or immunities, which, upon the same terms, shall not equally belong to all citizens.

Every person may speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech, or of the press. In all prosecutions or indictments for libel, the truth may be given in evidence to the jury, and if it appear to the jury that the matter charged as libelous was true, and was published with good motives and for justifiable ends, the party shall be acquitted.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable seizures and searches, shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the person and things to be seized.

The right of trial by jury shall remain inviolate; but the general assembly may authorize trial by a jury of a less number than twelve men in inferior courts; but no person shall be deprived of life, liberty, or property, without due process of law.

In all criminal prosecutions, and in cases involving the life or liberty of an individual, the accused shall have a right to a speedy and public trial by an impartial jury; to be informed of the accusation against him; to have a copy of the same when demanded; to be confronted with the witnesses against him; to have compulsory process for his witnesses; and to have the assistance of counsel.

All offenses less than felony, and in which the punishment does not exceed a fine of one hundred dollars, or imprisonment for thirty days, shall be tried summarily before a justice of the peace, or other officer authorized by law, on information under oath, without indictment, or the intervention of a grand jury, saving to the defendant the right of appeal; and no person shall be held to answer for any higher criminal offense, unless on presentment or indictment by a grand jury, except in cases arising in the army or navy, or in the militia, when in actual service, in time of war or public danger.

No person shall, after acquittal, be tried for the same offense. All persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses, where the proof is evident, or the presumption great.

The writ of *habeas corpus* shall not be suspended or refused when application is made as required by law, unless, in case of rebellion or invasion, the public safety may require it.

The military shall be subordinate to the civil power. No standing army shall be kept up by the State in time of peace; and in time of war no appropriation for a standing army shall be for a longer time than two years.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war except in the manner prescribed by law.

Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason, unless on the evidence of two witnesses to the same overt act, or confession in open court.

Excessive bail shall not be required; excessive fines shall not be imposed, and cruel and unusual punishment shall not be inflicted.

Private property shall not be taken for public use without just compensation first being made, or secured to be made, to the owner thereof, as soon as the damages shall be assessed by a jury, who shall not take into consideration any advantages that may result to said owner on account of the improvement for which it is taken.

[Amendment.] The general assembly, however, may pass laws permitting the owners of lands to construct drains, ditches, and levees for agricultural, sanitary or mining purposes across the lands of others, and provide for the organization of drainage districts, vest the proper authorities with power to construct and maintain levees, drains, and ditches and to keep in repair all drains, ditches and levees heretofore constructed under the laws of the State, by special assessments upon the property benefited thereby. The general assembly may provide by law for the condemnation of such real estate as shall be necessary for the construction and maintenance of such drains, ditches and levees, and prescribe the method of making such condemnation.

No person shall be imprisoned for debt in any civil action, on mesne or final process, unless in case of fraud; and no person shall be imprisoned for a military fine in time of peace.

The people have the right freely to assemble together to counsel for the common good; to make known their opinions to their representatives, and to petition for a redress of grievances.

No bill of attainder, ex post facto law, or law impairing the obligation of contracts, shall ever be passed.

Foreigners who are, or may hereafter become residents of this State, shall enjoy the same rights in respect to the possession, enjoyment, and descent of property, as native-born citizens.

There shall be no slavery in this State; nor shall there be involuntary servitude, unless for the punishment of crime.

This enumeration of rights shall not be construed to impair or deny others retained by the people.

POLITICAL RIGHTS

(Supplementing "Advanced Civics," 102-107; "American Republic," 80-85.)

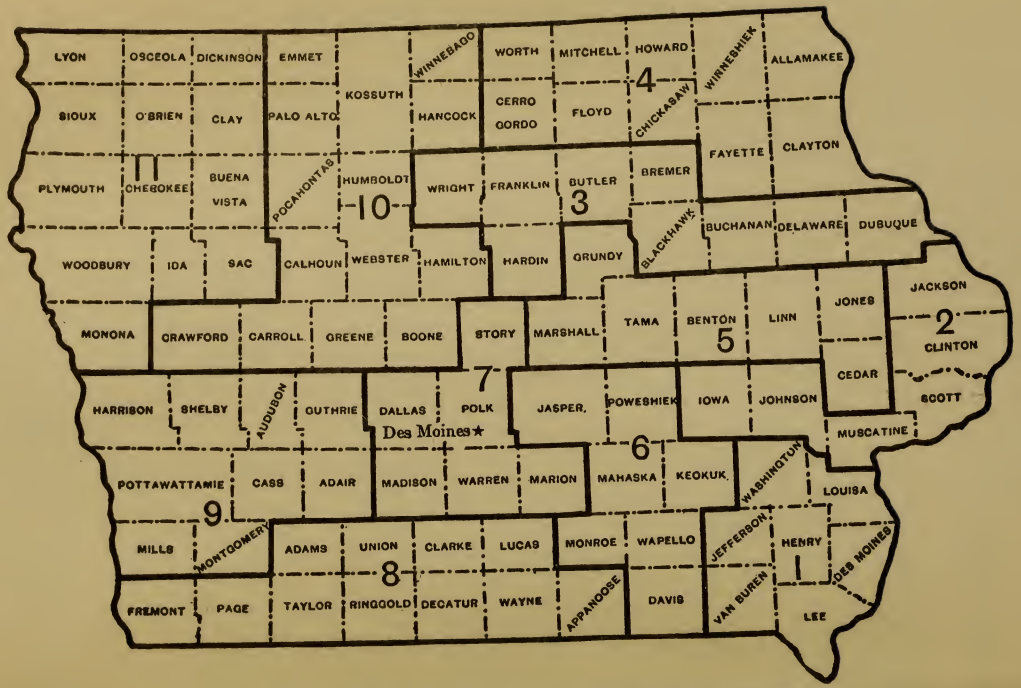
In Iowa every male citizen of the United States of the age of twenty-one years or over, who has been a resident of the State for six months and of the county in which he claims his vote for sixty days next preceding the election, is entitled to vote at all elections authorized by law. No idiot or insane person, or person convicted of any infamous crime is entitled to the privilege of voting. Voters in all cases except treason, felony or breach of peace, are privileged from arrest on the days of election during their attendance at an election, going to one, or returning from one. On election day no voter is obliged to perform military duty except in time of war or public danger. Women may vote at elections where the question voted upon involves the borrowing of money, the issuing of bonds, or the increasing of taxation.

The right of holding office is accorded to all citizens except certain classes of persons who are especially disqualified. Any officer who has been impeached by the General Assembly and found guilty is thereafter disqualified from holding any office of honor, trust or profit under the State. Any person giving a bribe to any officer, or any officer receiving a bribe, is disqualified from holding office.

IOWA IN THE NATIONAL CONGRESS

(Supplementing "Advanced Civics," 116-120; "American Republic," 91-93.)

Iowa is represented in Congress by two United States Senators, of course, and by eleven Representatives. Senators are elected by a vote of the people of the State, the laws governing this election being the same as those which apply to the election of State officers, in so far as appli-



Map of Iowa, Showing Congressional Districts

cable. When a vacancy occurs in the office of United States Senator the Governor issues a writ of election to fill the vacancy. For the election of the National House of Representatives the State is divided into eleven Congressional districts, from each of which one member is elected by popular vote. When a vacancy occurs in a Congressional district, the Governor issues a writ of election to fill the vacancy.

IOWA AND THE PRESIDENCY

(Supplementing "Advanced Civics," 148-151; "American Republic," 118-121.)

Iowa is entitled to thirteen presidential electors, thirteen being the combined number of Senators and Representatives sent by the State to the Congress of the United States. As in all other States, presidential electors in Iowa are elected on a common ticket by a popular vote. One person is chosen as elector from each Congressional district, and two persons from the State at large. The election of presidential electors is conducted in the same manner as the election for State officers and Representatives in Congress. On the ballot containing the names of the electors, the names of the candidates for President and Vice-President may appear, and also the party designation. No person holding the office of United States Senator or Representative in Congress or any office of trust or profit under the United States is eligible as a presidential elector.

IOWA AND THE NATIONAL JUDICIARY

(Supplementing "Advanced Civics," 148-151; "American Republic," 118-121.)

For the holding of the federal District Courts in Iowa, the State is divided into two federal judicial districts known as the Southern District and the Northern District. Sessions of the District Court of the Southern District

are held at Council Bluffs, Keokuk, Des Moines, Creston, Davenport, and Ottumwa. Sessions of the Northern District Court are held at Cedar Rapids, Dubuque, Waterloo, Sioux City, and Fort Dodge. For the holding of the federal Circuit Court of Appeals, Iowa has been placed in the Eighth Circuit. Regular sessions of the federal Circuit Court of Appeals are held in St. Louis. Cases coming within the jurisdiction of the Supreme Court of the United States are, of course, tried in Washington.

THE LEGISLATURE OF IOWA: THE GENERAL ASSEMBLY

(Supplementing "Advanced Civics," 162-167; "American Republic," 135-138.)

Election, Qualifications, and Privileges of Members of the General Assembly.—The legislative power of the State of Iowa consists of a senate and a house of representatives. Both senators and representatives are elected by a popular vote. Senators are elected for a term of four years, and representatives for a term of two years. For the apportionment of senators and representatives the State is divided into senatorial and representative districts. The number of senators must not be less than one third nor more than one half of the number of representatives. At present the senate consists of 50 members, and the house of representatives of 108 members. The election of members of the General Assembly is held on the first Tuesday after the first Monday in November in the even numbered years. Senators are so classified that one half of their number is elected every two years. When vacancies occur in either branch of the General Assembly the Governor issues writs of election to fill such vacancies.

No person may be a senator or representative who is not a citizen of the United States and who has not been an inhabitant of Iowa one year next preceding his election, and at the time of his election shall have had an actual

residence of sixty days in the district he may have been chosen to represent. A senator must be at least twenty-five years of age and a representative at least twenty-one years of age. No person holding any lucrative office—an office to which a regular salary is attached—under the United States, or the State of Iowa, can legally hold a seat in the General Assembly. But unsalaried officers of the militia, justices of the peace, postmasters whose compensation does not exceed $100, and notaries public, are eligible as members. No person who has been a collector or holder of public money can hold a seat in either house until he has accounted for and paid into the treasury all sums for which he is liable. The question as to who is lawfully a member of the General Assembly and who is not is decided by each house for itself, for each house is the judge of the election and qualifications of its own members. Every member of the General Assembly, before he enters upon his duties, must subscribe to the following oath or affirmation: "I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the constitution of the State of Iowa, and that I will faithfully discharge the duties of senator (or representative, as the case may be) according to the best of my ability." Senators and representatives during the session of the General Assembly, and in going to and returning from sessions, are privileged from arrest in all cases except treason, felony, or breach of peace.

Organization.—The General Assembly holds its sessions in the State House at Des Moines, the capital of the State. The regular session begins on the second Monday in January, in the odd-numbered years. At the opening of a session of the General Assembly the senate is called to order by the Lieutenant-Governor, and the house of representatives by some person claiming to be a member of the house. The house organizes by electing a speaker, a clerk, a sergeant-at-arms, and other assistants. The senate

elects a similar body of officers. The senate does not choose a permanent presiding officer, for the Lieutenant-Governor is *ex-officio* the president of the senate. A member of the senate, however, is chosen to act as president *pro tempore* in the absence of the Lieutenant-Governor. In the senate committees are appointed by the president; in the house of representatives by the speaker. In the senate there are about thirty standing committees; in the house about sixty. Some of the principal standing committees are: ways and means, (revenue), appropriations, judiciary, public school, railroads, agriculture, highways, cities and towns, elections, insurance, labor, corporations, public health, manufacturing, public utilities, commerce and trade, charitable institutions, military affairs, public lands, constitutional amendments, suppression of intemperance, woman suffrage, mines and mining. A majority of all the members elected to each house constitutes a quorum competent to transact business. Each house determines its own rules of procedure. The proceedings of both houses are public and the doors of both houses are open, except in such cases as may require secrecy. Neither house may without the consent of the other, adjourn for more than three days. Either house may punish members for disorderly behavior, and with the consent of two thirds of its members may expel a member, but not a second time for the same offense. Every member has the liberty to dissent from or protest against any act or resolution which he may think injurious to the public or to an individual, and may have the reasons for his dissent entered on the journals. The General Assembly fixes the compensation of members, but no increase in the compensation of members can become effective during the term of office for which they are elected. At present the salary of both senators and representatives is $1,000 for each full regular session.

Passage of Bills.—Bills may originate in either house, but any bill originating in one house may be altered,

amended, or rejected by the other. A bill having passed both houses must be signed by the speaker of the house of representatives and by the president of the senate. At the desire of any two members present the yeas and nays of the members of either house on any question may be entered on the journals. No bill may be passed unless by the assent of a majority of all the members elected to each branch of the General Assembly. No law of a public nature passed at a regular session shall take effect until the fourth day of July next after the passage thereof. Laws passed at a special session take effect ninety days after the adjournment of the General Assembly by which they were passed. When a law is deemed to be one of immediate importance it may take effect upon its passage, but such a law must be published in the newspapers of the State.

A bill passed by the General Assembly may be vetoed by the Governor, but the veto may be overcome by a two-thirds vote of both houses. The constitutional provision regulating the veto is as follows:

> Every bill which shall have passed the General Assembly, shall, before it becomes a law, be presented to the governor. If he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, which shall enter the same upon their journal, and proceed to reconsider it; if, after such reconsideration, it again pass both houses, by yeas and nays, by a majority of two-thirds of the members of each house, it shall become a law, notwithstanding the governor's objections. If any bill shall not be returned within three days after it shall have been presented to him (Sunday excepted), the same shall be a law in like manner as if he had signed it, unless the General Assembly by adjournment, prevent such return. Any bill submitted to the governor for his approval during the last three days of a session of the General Assembly, shall be deposited by him in the office of the secretary of state within thirty days after the adjournment, with his approval, if approved by him, and with his objections, if he disapproves thereof.

Certain restrictions are placed upon the law-making power of the General Assembly. It can pass no law that is contrary to the Constitution of the United States or to the

constitution of Iowa. In addition to this restriction the State constitution expressly forbids the General Assembly to grant divorces or to authorize lotteries or allow the sale of lottery tickets. The General Assembly is also forbidden to pass local or special laws in the following cases:

For the assessment and collection of taxes for State, county or road purposes.

For laying out, opening, and working, roads and highways.

For changing the names of persons.

For the incorporation of cities and towns.

For vacating roads, town plats, streets, alleys, or public squares.

For locating or changing county seats.

In all the cases above enumerated, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the State.

Impeachment.—The Governor and all civil officers of the State are liable to impeachment for misdemeanors and malfeasance in office. The constitutional provisions in regard to impeachment are as follows:

> The house of representatives shall have the sole power of impeachment, and all impeachments shall be tried by the senate. When sitting for that purpose, the senators shall be upon oaths or affirmation; and no person shall be convicted without the concurrence of two-thirds of the members present.
>
> The governor, judges of the supreme and district courts, and other state officers, shall be liable to impeachment for any misdemeanor or malfeasance in office, but judgment in such cases shall extend only to removal from office, and disqualification to hold any office of honor, trust, or profit under this state; but the party convicted or acquitted shall nevertheless be liable to indictment, trial, and punishment according to law. All other civil officers shall be tried for misdemeanors and malfeasance in office, in such manner as the general assembly may provide.

THE STATE EXECUTIVE DEPARTMENT

(Supplementing "Advanced Civics," 170-175; "American Republic," 144-149.)

The executive department of the State government of Iowa consists of a Governor, a Lieutenant-Governor, a Secretary of State, an Auditor of State, a Treasurer of State, and an Attorney-General. These officers are elected in November of each even-numbered year for the term of two years. The special term begins on the second Monday of January next after their election. There are also elected by the voters of the State, for a term of four years, a Superintendent of Instruction and a Board of Railroad Commissioners, consisting of three members.

The supreme executive department of the State is vested in the Governor, who must be a citizen of the United States, and must have been a resident of the State for two years next preceding his election, and have attained the age of thirty years at the time of his election. The chief duty of the Governor is to take care that the laws of the State are faithfully executed. He may require information in writing from the officers in the executive departments upon any subject relating to the duties of their respective offices. He states at every session, by message to the General Assembly, the condition of the State and recommends such measures as he deems expedient. On extraordinary occasions he may convene the General Assembly by proclamation in special session and state the purpose for which the special session is called. In case of disagreement between the two houses in respect to time of adjournment, the Governor has power to adjourn the General Assembly to such time as he may think proper, but no such adjournment shall be beyond the first day of the next regular session.

The Governor is the Commander-in-chief of the military

and naval forces of the State except when they are called into the service of the United States. He has power, after conviction, to grant reprieves, commutations and pardons for all offenses except treason and cases of impeachment subject to such regulations as may be provided by law. He may also remit fines and forfeitures under regulations prescribed by law. He must, however, report to the General Assembly each case of reprieve, commutation or pardon granted and give his reasons therefor, and must also report the persons in whose favor there has been a remission of fines and forfeitures. The seal of the State, known as the "Great Seal of the State of Iowa," is in the keeping of the Governor and is officially used by him in making grants and commissions. When for any cause there is a vacancy in any office, and no mode is provided by the constitution or laws for filling the vacancy, the Governor has the power to fill it by granting a commission which expires at the end of the next session of the General Assembly or at the next election by the people. The Governor appoints, by and with the consent of the senate, all the principal officers of the State, not elected by the people. In the case of death, impeachment, resignation, removal, or other disability of the Governor, the powers and duties of his office devolve upon the Lieutenant-Governor.

The Lieutenant-Governor is the *ex-officio* president of the senate, but he has no vote except when the senate is equally divided. If the Lieutenant-Governor, while executing the office of Governor, should be impeached, or should die, or resign, or otherwise become incapable, the president *pro tempore* of the senate would act as Governor; and if the president of the senate for any reason should be rendered incapable of performing the duties pertaining to the office of Governor, the speaker of the house of representatives would become Governor.

The duties of the Secretary of State, the Auditor of State, the Treasurer of State, the Attorney-General, and

the Superintendent of Public Instruction are for the most part such as were described in the chapter on the State Executive in the main body of the book ("Advanced Civics," pp. 172-174; "American Republic," pp. 146-148). (For the duties of the Board of Railroad Commissioners see page 39.[1])

The Governor, the Secretary of State, the Auditor of State, and the Treasurer of State act for certain purposes in an executive council. Among the duties of the executive council are the following:

To purchase supplies and furniture for the State departments.

To assess the property of railway, express, telegraph, or telephone companies.

To regulate property valuations (assessments) between the counties.

To determine the value at which property may be taken by Iowa corporations.

To superintend the taking of the State census.

To canvass the vote cast for State and district officers.

To compile and publish annual reports of transportation companies and biennial reports of the several State departments.

The salaries of executive officers are fixed by the General Assembly, and are as follows: Governor, $6,800; Lieutenant-Governor, $2,000; Secretary of State, $3,600; Auditor of State, $3,600; Treasurer of State, $3,600; Attorney-General, $5,000; Superintendent of Public Instruction, $4,000; Railroad Commissioners, $2,200 for each member.

In order to meet the needs of the State, the General Assembly has created many administrative offices, boards and commissions. Among these are the following:

(1) *The Adjutant General,* appointed by the Governor for a term of four years, is the chief of the Governor's military staff. He

[1] Unless otherwise stated the references are to pages of this Supplement.

issues and transacts the orders of the commander-in-chief (the Governor) and assists in the management of the State militia.

(2) *The State Commissioner of Insurance,* appointed by the Governor for a term of four years, is the head of the insurance department, and has a general supervision of all insurance business transacted in the State.

(3) *The State Commissioner of Labor and Statistics,* appointed by the Governor for a term of two years, collects and publishes information regarding conditions which prevail among the laboring classes, and enforces the laws relating to the employment of children. (P. 46.)

(4) *The Board of Parole,* consisting of three members appointed by the Governor for a term of six years, make rules and regulations for the parole of prisoners (p. 48) and assists the Governor where cases of pardon are concerned.

(5) *The Diary and Food Commission,* appointed by the Governor for a term of two years, is charged with the duty of enforcing the pure food laws and the laws regulating standard weights and measures.

(6) *The State Department of Agriculture* is managed by a board styled the State Board of Agriculture, of which the Governor, the president of the State College of Agriculture and Mechanic Arts, the State Dairy and Food Commissioner and State Veterinarian are *ex-officio* members; the other members are a president, a vice-president, a secretary, a treasurer, and one member from each of the eleven congressional districts of the State. The president, vice-president and district members are chosen at an annual agricultural convention composed of delegates representing certain agricultural societies. The secretary and treasurer are elected by the board. The duty of the department is to promote the interests of agriculture and to investigate all subjects relating to the improvement and diversification of crops.

(7) *The State Librarian,* appointed for a term of six years by a Board of Library Trustees, has charge of the State Library at Des Moines.

(8) *The State Printer and Binder,* elected by the General Assembly for the term of two years, has charge of the printing and binding of various books, reports, and public documents issued by the State.

(9) *The State Fish and Game Warden,* appointed for a term of three years by the Governor, enforces obedience to the fish and game laws, and promotes the game and fish interests of the State.

(10) *The State Board of Health,* appointed for a term of five years by a board of appointment composed of the Governor, the Secretary of State and the Auditor of State, consists of a sanitary engineer and four physicians. This board has general supervision in regard to matters affecting the public health (p. 51).

(11) *The State Highway Commission,* consisting of the dean of engineering of the State College of Agriculture and Mechanic Arts,

and of two other members appointed by the Governor, for a term of four years, is charged with a general supervision over the highways of the State (p. 38).

(12) *The State Fire Marshal,* appointed by the Governor for a term of four years, investigates the cause and origin of fires occurring in the State.

(13) *The State Board of Control,* consisting of three members appointed by the Governor for a term of six years, has charge of the charitable and penal institutions of the State.

(14) *The State Board of Education,* consisting of nine members, appointed by the Governor for a term of six years, is charged with the management and control of the State University at Iowa City, the State College of Agriculture and Mechanic Arts, the State Teachers' College at Cedar Falls, and the College for the Blind at Vinton.

THE STATE JUDICIARY

(Supplementing "Advanced Civics," 177-182; "American Republic," 151-157.)

Justice of the Peace.—The judicial power of the State of Iowa is vested by the constitution in courts held by justices of the peace, district courts, a supreme court, and such inferior courts as the General Assembly may from time to time establish. Justices of the peace are elected by the voters of the townships, two being chosen for each township for the term of two years. They try all civil cases except cases in chancery (equity), and cases involving the title to real estate, where the amount in controversy does not exceed $100. By the consent of the parties in the case the amount involved may be increased to any amount not exceeding $300. The justices of the peace may also try those criminal cases where the punishment prescribed by law does not exceed a fine of $100, or thirty days' imprisonment in the county jail. A justice's court may have a jury of six men, if a jury is demanded. In addition to these regular judicial duties the justice of the peace may perform the marriage ceremony, administer oaths, and take acknowledgment of deeds and other written instruments.

District Courts.—The more important cases, both civil and criminal, are tried in the district courts. For the or-

ganization of these courts the State is divided into twenty-one judicial districts, a district including sometimes only one county and sometimes as many as seven or eight. Sessions of the district court are held at the county seat in each county. Each district is entitled to from one to five judges, the number being fixed by the General Assembly. At present there are altogether fifty-nine judges of the district courts. The judges are elected for terms of four years and receive an annual salary of $3,500. The district court has general, original and exclusive jurisdiction in all actions, both civil and criminal, except in cases where exclusive or concurrent jurisdiction is conferred upon some other court or tribunal by the constitution or laws of the State. It has appellate jurisdiction in cases brought up to it from inferior courts. It also performs the duties of a probate court.

Superior Courts.—In any city of 4,000 inhabitants or more an inferior court, known as the Superior Court, may be established if the voters so desire. The judge of a Supreme Court is elected by the voters of the city, and holds office for four years. It tries cases arising under the ordinances of the city. In certain classes of cases it has concurrent jurisdiction with the District Court. It also has concurrent jurisdiction with the justice's court. Criminal cases are appealed from the Superior Court to the District Court. Superior Courts have been established in Cedar Rapids, Council Bluffs, Grinnell, Keokuk, Oelwein, Perry and Shenandoah.

Municipal Courts.—In any city of 20,000 inhabitants or more an inferior court known as the Municipal Court may be established if the voters so desire. The judge of a Municipal Court is elected by the voters of the city for a term of four years. One municipal judge is elected for each 20,000 inhabitants or fraction thereof. In cities where a Municipal Court has been established all minor courts such as police courts, mayor's courts, courts held by justices of the peace, and Superior Courts are abolished and their jurisdiction is conferred upon the Municipal Court.

The Supreme Court.—The Supreme Court of Iowa consists of seven judges elected by the voters of the State for a term of six years. The salary of the judges of the Supreme Court is $6,000. Three regular sessions of the court are held each year at Des Moines. The jurisdiction

of the Supreme Court is almost entirely appellate in character, although it has original jurisdiction in cases involving the issuance of certain classes of writs. In respect to appeals carried to the Supreme Court from the lower courts, the following rules are observed:

Appeals from the superior and district courts may be taken to the supreme court at any time within six months from the rendition of the judgment or order appealed from, and not afterwards. No appeal shall be taken in any cause in which the amount in controversy between the parties, as shown by the pleadings, does not exceed one hundred dollars, unless the trial judge shall, during the term in which judgment is entered, certify that the cause is one in which the appeal should be allowed, and upon such certificate being filed the same shall be appealable regardless of the amount in controversy, but this limitation shall not affect the right of appeal in any action in which an interest in real estate is involved, nor shall the right of appeal be affected by the remission of any part of the verdict or judgment returned or rendered.

Appeals from the final judgment of the district court may be taken in all criminal cases within six months after the judgment is rendered; and either the defendant or the state may appeal. Upon appeal the supreme court may affirm, reverse or modify the judgment or render such judgment as the district court should have done. It may order a new trial or reduce the punishment, but cannot increase it. If the state appeals, the court cannot reverse or modify the judgment so as to increase the punishment, but may affirm it and shall point out any error in the proceedings and its decision shall be obligatory as law.

COUNTY GOVERNMENT IN IOWA

(Supplementing "Advanced Civics," 195-201; "American Republic," 158-164.)

In Iowa there are 94 counties.[1] The constitution permits the formation of new counties, but a new county must

[1] Adair, Adams, Allamakee, Appanoose, Audubon, Benton, Black Hawk, Boone, Bremer, Buchanan, Buena Vista, Butler, Calhoun, Carroll, Cass, Cedar, Cerro Gordo, Cherokee, Chickasaw, Clarke, Clay, Clayton, Clinton, Crawford, Dallas, Davis, Decatur, Delaware, Des Moines, Dickinson, Dubuque, Emmet, Fayette, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Henry, Howard, Humboldt

have an area of not less than 432 square miles, and the territory of an organized county must not be reduced in area below 432 square miles. Before the boundaries of a county can be changed the laws directing the change must be submitted to the voters of the counties affected, and approved by a majority of the voters in each county. The location of a county seat cannot be changed except with the consent of a majority of the voters of the county.

Laws for the government of the county are passed by the General Assembly, the constitution providing that such laws shall be uniform. The governing body of the county is a board of supervisors, consisting of three, or five, or seven members, the number being determined by the voters of the county. As a rule the board of supervisors consists of three members. The supervisors are elected for a term of three years. They may be chosen by the voters of the county on a general ticket, or the county may be divided into supervisor districts and one supervisor elected for each district. For duties of the board of supervisors see "Advanced Civics," page 198; "American Republic," pages 160-161.

The other county officers are: an auditor, a treasurer, a clerk of the district court, a sheriff, a recorder of deeds, a county attorney, a county superintendent of schools, a surveyor, and a coroner. These officers are elected by the people and serve for a term of two years. Still another county officer is the county engineer (p. 38), who is appointed by the board of supervisors for a term of one year.

Ida	Louisa	Montgomery	Poweshiek	Wapello
Iowa	Lucas	Muscatine	Ringgold	Warren
Jackson	Lyon	O'Brien	Scott	Washington
Jefferson	Madison	Osceola	Shelby	Wayne
Johnson	Mahaska	Page	Sioux	Webster
Jones	Marion	Palo Alto	Story	Winnebago
Keokuk	Marshall	Plymouth	Tama	Winneshick
Kossuth	Mitchell	Pocahontas	Taylor	Worth
Lee	Monona	Polk	Union	Wright
Linn	Monroe	Pottawattamie	Van Buren	

For the general duties and powers of county officers see "Advanced Civics," pages 198-200; "American Republic," pages 160-163.

In Iowa the auditor, besides drawing warrants upon the treasurer, acts as the secretary of the board of supervisors, and assists in conducting elections. The treasurer, besides receiving and paying out the money of the county, has charge of the collection of the county taxes.

The compensation of county officers is provided for in various ways. Members of the board of supervisors receive $4.00 per day for each day actually in session, the number of days of service being limited by law. The auditor, treasurer, recorder, clerk of the court, and sheriff, receive salaries graded according to the population of the county, the greater the population the greater the salary. The county superintendent receives a salary of $1,500 per year, but the school authorities by whom he is appointed may allow him such further sums as may be just and proper.

TOWNSHIPS

(Supplementing "Advanced Civics," 210-215; "American Republic," 171-176.)

In Iowa the township has been created by the action of the General Assembly. That body has authorized the board of supervisors of each county to divide the county into as many townships as may be convenient, has provided for the election of township officers, has imposed upon such officers certain duties, and has invested them with certain powers. The township officers elected by the people are: three trustees, a township clerk, two justices of the peace, two constables, and an assessor. These officers are all chosen for a period of two years by the qualified voters of the township at a township election held in November.

The general management of township affairs is placed in the hands of the trustees. These officers act as overseers

of the poor (p. 49); they constitute a board of health (p. 50); they serve as election officers; they care for the public roads, levy the property road tax, and direct the expenditure of the road funds; they sit as a board of equalization and adjust unsatisfactory assessments of property; they care for the public buildings belonging to the township. The township clerk is the secretary of the board of trustees and is also the township treasurer. He makes public a statement of all moneys received and expended by the trustees. The assessor makes a list of all the taxpayers of the township and assesses the value of the property of each.

Compensation for the services of township officers is provided in several different ways. For regular official business each of the trustees receives two dollars for a day's service, except that in townships with a population of 30,000 or over, the compensation is three dollars a day. The township clerk receives the same compensation that is given to a trustee and in addition is allowed five per cent of the money which is intrusted to him as treasurer. The township assessor receives two and one half dollars for each day of actual service. Justices of the peace and constables are paid by fees.

MUNICIPALITIES

(Supplementing "Advanced Civics," 216-224; "American Republic," 177-185.)

The Iowa Town.—Municipalities which in many States are known as villages, are in Iowa known as towns, for there are in this State no distinct incorporated villages, although town sites, platted and unincorporated, are known in law as villages. A municipality having a population of less than two thousand inhabitants is called a town. There are about 800 towns in the State. When the people of a thickly settled, unorganized community wish to be incor-

porated as a town, they may apply to the district court, presenting a petition signed by not less than twenty-five voters residing within the area of the proposed town. The court upon receiving the petition appoints five commissioners, authorizing them to hold an election to decide whether the community shall be incorporated or not. If a majority of the voters decide in favor of incorporation the court directs the commissioners to hold an election for choosing town officers.

The elective officers of the town are a mayor, a council of five members, a town treasurer, and an assessor. These are all elected for a term of two years. A town clerk is appointed by the town council. A town marshal, a health physician, and a street commissioner are appointed by the mayor. The mayor also appoints such other officers as may be provided by the council.

The council is the town legislature. It passes ordinances, such as may seem necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, comfort, and convenience of the inhabitants of the town. It determines the amount of money to be raised by taxation to meet town expenditures; it improves existing streets and lays out new ones; it provides water works for the town; it makes regulations against the danger of fire; and in many other ways cares for the safety and convenience of the public. All ordinances of the council must be signed by the mayor unless passed over his veto.

The mayor is the chief executive officer of the town. He presides at the meetings of the council, although he has no vote except in the case of a tie. He is the guardian of peace and good order within the limits of the town, and he may cause the arrest of persons committing crimes against the laws of the State or violating any ordinances of the town. In certain cases he may act as a magistrate with the jurisdiction of a justice of the peace.

The Government of Cities.—When a town has two thousand or more people it becomes a city.[1] Cities in Iowa must be organized and governed under general laws. Under a law of the General Assembly municipal corporations with a population of more than 15,000 are classified as cities of the first class; those with a population of 2,000 but not exceeding 15,000 are cities of the second class.

Cities are governed according to the council system, the commission system, and the city manager system.[2] Where

[1] In 1915 the following cities of Iowa had a population of over 2,000:

Albia	Davenport	Iowa Falls	Oskaloosa
Algona	Decorah	Jefferson	Ottumwa
Ames	Denison	Keokuk	Pella
Anamosa	Des Moines	Knoxville	Perry
Atlantic	Dubuque	Lake City	Red Oak
Audubon	Eagle Grove	Le Mars	Rock Rapids
Belle Plaine	Eldon	Leon	Sac City
Bloomfield	Eldora	Manchester	Seymour
Boone	Emmetsburg	Maquoketo	Sheldon
Burlington	Estherville	Marengo	Shenandoah
Carroll	Fairfield	Marion	Sigourney
Cedar Falls	Forest City	Marshalltown	Sioux City
Cedar Rapids	Fort Dodge	Mason City	Spencer
Centerville	Fort Madison	Missouri Valley	Storm Lake
Charles City	Glenwood	Monticello	Tama
Charlton	Grinnell	Mt. Pleasant	Toledo
Cherokee	Hamburg	Muscatine	Valley Junction
Clarinda	Hampton	Mystic	Villisca
Clarion	Harian	Nevada	Vinton
Clear Lake	Hawarden	New Hampton	Washington
Clinton	Humboldt	Newton	Waterloo
Colfax	Ida Grove	Oelwein	Waukon
Council Bluffs	Independence	Onawa	Waverly
Cresco	Indianola	Osage	Webster City
Creston	Iowa City	Osceola	Winterset

[2] There are several cities that are not governed according to either of these plans. These are such as were organized under special charters before the present constitution went into effect in 1857, and have not been brought under the operation of the general laws governing municipalities, although they are subject to the control of the legislature the same as other cities. In 1917 the cities governed under special charters were Davenport, Dubuque, Glenwood, Muscatine, and Wapello.

cities are governed according to the council system the legislative power is vested in a city council consisting of one councilman elected for each ward and of two councilmen at large, elected by the voters of the city for a term of two years. In cities of the first class, governed according to the council system, the executive officers, elected by the voters, are a mayor, a solicitor, a treasurer, an auditor, a city engineer, and an assessor. In cities of 30,000 inhabitants, or more, the council may establish a board of public works, consisting of two members, to be appointed by the mayor; in cities with a population of 50,000, or more, a board of public works *must* be established. In cities of the second class, governed according to the council system, the elective executive officers are a mayor, a treasurer, and an assessor, the solicitor in such cities being appointed by the council. As in towns, so in cities under the council system, a city clerk is elected by the council, and a marshal (or chief of police), a health physician, and a street commissioner are appointed by the mayor. Such other officers as may be necessary for purposes of administration are provided for by the council. In all cities the elective executive officers are chosen for a term of two years.

In cities governed according to the commission system the governing body (the commission) consists of a council elected at large by the voters of the city. In cities of 25,000 and over, the council consists of the mayor and four councilmen; in cities of 2,000 and less than 25,000, the council consists of a mayor and two councilmen. Under the commission system the council acts both as a legislative and executive body. The mayor presides at all meetings of the council but he has no power to veto any measure. Every resolution or ordinance of the council, however, must be signed by the mayor or by two councilmen before it can have force. For the administration of the affairs of the city the powers of the council are distributed to five departments, as follows:

1. A Department of Public Affairs.
2. A Department of Accounts and Finance.
3. A Department of Public Safety.
4. A Department of Streets and Public Improvements.
5. A Department of Parks and Public Property.

At the head of each of these departments is one of the members of the council, who is known as the superintendent. The mayor is always the superintendent of the department of public affairs. The superintendent of each of the other departments is designated by a majority vote of the council itself. Each superintendent (councilman) has full charge of his own department, and is responsible for its efficient management. In cities of less than 25,000 there are designated to each councilman two departments. The council elects by a majority vote the following officers: a city clerk, a solicitor, an assessor, a treasurer, an auditor, a civil engineer, a city physician, a marshal, a market master, a street commissioner, and such other officers and assistants as may be necessary for the efficient administration of the affairs of the city. In cities of less than 25,000 inhabitants, however, all the above named officers need not be elected, but only such as may in the judgment of the council be necessary for the proper management of the city's affairs. The council has power to create or discontinue offices according to the needs of the city. It may fix the compensation of the officers whom it elects, but the salaries of the members of the council (commissioners) are regulated by a law of the General Assembly. In cities governed under the commission system the devices of the initiative and referendum and the recall have been adopted, and may be set in operation upon the petition of 25% of the voters. An inefficient or corrupt councilman (commissioner) therefore may be removed from office by the recall, and the initiative or referendum may be invoked for the passage or amendment of any ordinance. The commission system is in operation in Des Moines, Cedar Rapids, Burlington,

Fort Dodge, Keokuk, Marshalltown, Sioux City, Ottumwa, and Mason City.

For cities governed under the city manager system the General Assembly has enacted two different laws. One of these laws provides that all cities and towns, except cities under the commission form of government and cities having a population of more than 25,000, may by ordinance create the office of city manager and fix the duties, powers and compensation of such officer. The manager is to be appointed by a majority vote of the council and is to hold office during the pleasure of the council. The second law relating to the city manager system provides that twenty-five per cent of the voters of the city may petition the council for an election to decide whether the city manager plan shall be added or not. If the plan is adopted in cities of 25,000 or more inhabitants, a council consisting of five members is to be elected. If adopted in cities of less than 25,000 inhabitants a council consisting of three members is to be elected.[1] The council selects one of its members as chairman, and the member thus selected is designated as mayor and is recognized as the official head of the city or town. The council also appoints a city manager, who is the administrative head of the municipal government. In making the appointment of the manager the council must consider the qualifications and fitness only of the person appointed and must not regard his political affiliations or the place of his residence. The duties of the city manager are many. He must see that the laws and ordinances of the city are faithfully enforced; he must attend to the meetings of the council and recommend to it such measures as he may deem wise and expedient; he must supervise and direct the conduct of many of the appointive officers; he

[1] Where a city with more than 25,000 inhabitants and less than 75,000 lies in two townships divided by a water course, four councilmen are elected, two being elected from that part of the city lying within each of the townships.

may employ and dislodge many classes of city employees; he supervises and manages all public improvements; he must prepare and submit to the council an annual budget of the expenses of the city. In 1917 several cities were planning to adopt the city manager system.

PARTY ORGANIZATION

(Supplementing "Advanced Civics," 232-255: "American Republic," 186-192.)

Party organization is duly recognized by the laws of Iowa and is made the subject of legal control. A political party is defined by law as a "party which at the last preceding general election cast for its candidate for governor at least two per centum of the total vote cast at said election." A primary election is defined as "an election by the members of the various political parties for the purpose of placing in nomination candidates for public office, for selecting delegates to conventions, and for the selection of party committeemen." A primary election law provides for the nomination of candidates for State officers for the General Assembly, for the United States Senate, for the National House of Representatives, and for the office of presidential elector. Delegates to party conventions and party committeemen are also nominated at primary elections. Also in certain classes of cities candidates for the elective municipal offices are nominated at primary elections. Party nominations are made in a manner prescribed by law, and primary elections are held at times and in the manner prescribed by law. Primary elections are conducted as regularly and as honestly as are regular elections. Bribing and illegal voting at such elections are punishable by fine or imprisonment.

DEFENSE: THE MILITIA OF IOWA

(Supplementing "Advanced Civics," 249-255; "American Republic," 201-207.)

All able-bodied male citizens of the State of Iowa between the ages of 18 and 45 years, except such as are expressly exempted by laws of the United States, are subject to military duty, and constitute the military force of the State. No person, however, having conscientious scruples against bearing arms can be compelled to do military duty in times of peace, but persons having such scruples must pay an equivalent for their exemption in the same manner as other citizens.

The active military force of the State is the organized militia, known as the Iowa National Guard. The Guard is recruited by the voluntary enlistment of persons eligible to military duty. Under the law of Congress enacted in 1916, the number of enlisted men of the National Guard for each State is to consist of 200 men for each Senator and Representative within the first year after the passing of the law, the number to be increased each year in the proportion of not less than 50 per cent until the total peace strength of not less than 800 enlisted men for each Senator and Representative shall be reached. When the organization of the National Guard of Iowa under this law shall have been completed it will number 10,400 men. The National Guard must, as far as practicable, be uniformed, armed and equipped with the same type of uniform, arms, and equipment as is provided for the Regular Army of the United States, and the discipline and training of the soldiers of the National Guard must conform to the system which is provided for the Regular Army. Members of the National Guard must assemble for drill and instruction, including indoor target practice, not less than forty-eight times each year, and must in addition thereto par-

ticipate in encampments, maneuvers, or other exercise, including outdoor target practice at least fifteen days in training in each year.

The National Guard may be called into the service of the Nation as well as into that of the State. Whenever the United States is invaded or in danger of invasion from any foreign nation, or when there is rebellion against the authority of the Government of the United States, or when the President is unable with the force of the Regular Army to execute the laws of the Nation, it is lawful for the President to call forth such number of the National Guard of Iowa as he may deem necessary to assist in repelling the invasion, suppressing the rebellion or executing the laws. If the President should need more troops than can be supplied by the National Guard, the Governor may organize further additional forces by ordering into the service of the United States as many men from the unorganized militia as may be deemed necessary. The full military force of the State, about 500,000 men, may therefore be made available for national service.

TAXATION IN IOWA

(Supplementing "Advanced Civics," 280-287; "American Republic," 230-235.)

The constitution of Iowa provides that taxation for State and county purposes must be general and of uniform operation throughout the State. The General Assembly may levy such taxes as may be necessary to meet the expenditures of the State, but all such taxes must be uniform; that is, all individuals and all classes must be uniformly taxed, and all must contribute uniformly with like individuals and like classes to the public burden. The value of all property subject to taxation must be determined by duly authorized assessors. All taxes levied for State purposes must be paid into the State treasury, and

no money can be drawn from the treasury except by the authority of a law making a specific appropriation for a specific purpose. All real and personal property, including all moneys and all bonds and stocks, and the property of all corporations and undertakings conducted for profit, are subject to taxation. The following classes of property are exempt from taxation:

1. The property of the United States, such as post-office buildings, forts and arsenals.
2. The property of the State of Iowa, such as capitol buildings and court houses.
3. The property of a county, township, city, town, or school district.
4. The property of religious, benevolent, scientific, and literary societies, such as churches, asylums, hospitals, schools, libraries, &c.
5. Burial grounds, providing no dividends or profits are derived therefrom.
6. The utensils of farmers or mechanics to the value of $300.
7. Household furniture to the value of $300.
8. The property of persons who by reason of age or infirmity are, in the opinion of the assessor, unable to pay taxes.
9. Honorably discharged soldiers and sailors are allowed an exemption of personal property to the amount of $1200.

Taxes for meeting the expenses of county government are levied by the board of county supervisors; those for meeting the expenses of the township by the township trustees; those for meeting the expenses of a city or town by the city or town council. When the amount of revenue necessary for each of these local units is determined, a statement is submitted to the county auditor, who adds to the tax required for the town (or city) and township the tax of the county and State, and then determines the full rate of taxation which must be paid by each taxpayer.

The assessment of property is done by assessors of the townships and municipalities. These officers make a list of all taxpayers of the township or municipality, and for the value of all assessable property. In determining the value of property the taxpayer must cooperate with the assessor and must make an oath that he has rendered a correct statement of the value of all his property.

For the equalization and adjustment of taxes there is a board of equalization, or board of review for each unit of government. In the township this board is the township board of trustees; in municipalities it is the council; for the State it is the executive council (p. 19). The board of review of the township or municipality has the power of lowering or raising the assessments of individual taxpayers; the county board of review adjusts the assessments of the several townships, cities, and towns within the county; the State board of review adjusts the assessments of the several counties of the State.

The collection of all taxes is done by the county treasurer. No demand of taxes is necessary, it being the duty of every person subject to taxation to call at the office of the county treasurer, or at the office of one of his deputies, and pay his taxes, either in full or in two installments. Taxes may be paid in full at some time between the first Monday in January and the first day of March. When they are paid in two installments the first half must be paid before the first day of March and the second half before the first day of September.

On the first day of April the first half of a taxpayers taxes becomes delinquent, and on the first day of October the second half becomes delinquent. Where taxes are not paid before they become delinquent interest accrues at the rate of one per cent a month until they are paid. If delinquent taxes remain unpaid until the first Monday in December the county trustee may offer for sale any real estate upon which the delinquency rests.

PUBLIC DEBT

(Supplementing "Advanced Civics," 286-290; "American Republic," 240-243.)

The provisions of the constitution in respect to State debts are as follows:

The credit of the state shall not in any manner be given or loaned to, or in aid of, any individual, association, or corporation; and the state shall never assume, or become responsible for the debts or liabilities of any individual, association, or corporation, unless incurred in time of war for the benefit of the state.

The state may contract debts to supply casual deficits or failures in revenue; or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more acts of the general assembly, or at different periods of time, shall never exceed the sum of two hundred and fifty thousand dollars; and the money arising from the creation of such debts shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever.

In addition to the above limited power to contract debts, the state may contract debts to repel invasion, suppress insurrection, or defend the state in war; but the money arising from the debts so contracted shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever.

Except the debts hereinbefore specified in this article, no debt shall be hereafter contracted by, or on behalf of this state, unless such debt shall be authorized by some law for some single work or object, to be distinctly specified therein; and such law shall impose and provide for the collection of a direct annual tax, sufficient to pay the interest on such debt, as it falls due and also to pay and discharge the principal of such debt, within twenty years from the time of the contracting thereof; but no such law shall take effect until at a general election it shall have been submitted to the people, and have received a majority of all the votes cast for and against it at such election; and all money raised by authority of such law, shall be applied only to the specific object therein stated, or to the payment of the debt created thereby; and such law shall be published in at least one newspaper in each county, if one is published therein, throughout the state, for three months preceding the election at which it is submitted to the people.

The legislature may, at any time, after the approval of such law by the people, if no debt shall have been contracted in pursuance thereof, repeal the same; and may at any time forbid the contracting of any further debt, or liability, under such law; but the tax

imposed by such law, in proportion to the debt or liability which may have been contracted in pursuance thereof, shall remain in force and be irrepealable, and be annually collected, until the principal and interest are fully paid.

Local governments are restricted in their power to contract debt by laws of the General Assembly. The restriction is as follows: No county or other political or municipal corporation is allowed to become indebted in any manner or for any purpose to an amount exceeding in the aggregate the amount of 1¼% of the actual value of the taxable property within such county or corporation, except that cities and incorporated towns may for the purpose of purchasing, erecting, extending, or maintaining and operating waterworks, and constructing sewers, incur an indebtedness not exceeding in the aggregate, added to all other indebtedness, 5% of the actual value of the taxable property within such city or incorporated town.

INTRASTATE COMMERCE

(Supplementing "Advanced Civics," 339-343; "American Republic," 267-270.)

The life of intrastate commerce in Iowa is a magnificent system of highways and railroads. Highways of the township are under the control and management of the township trustees, who may determine and levy the taxes used for the construction and repair of township roads, and appoint a road superintendent. Able-bodied male residents of the township between the ages of 21 and 45 years, are required to give two days' labor on the roads each year, but persons owing road service may pay either in actual labor or in money. Certain highways are designated as county roads. These are under the management and control of the county board of supervisors, who levy the county road tax and appoint a county civil engineer. The State Highway Commission (p. 19) cooperates with the local authorities in the improvement and development of the road system. It de-

vises plans of highway construction suited to the needs of the different counties; it disseminates information and instruction to road officers; it makes investigations as to conditions of road work in the counties; it exercises a general supervision over the road officers of the county and township; it enforces the provision of the road law.

The railroads of the State, both steam and electric, except street-railroads, are under the supervision of the Board of Railroad Commissioners (p. 17). The powers and duties of this board are: to inquire into any neglect or violation of the laws governing railroads; to see that trains are operated in a safe manner; to make and fix maximum freight rates; to hear, investigate and determine all complaints alleging unreasonable rates; to inquire into the management of the business of the railroads, and to obtain from them such full and complete information as may be necessary to enable the board to carry out all the objects of the law. Broadly stated, the Board of Railroad Commissioners exercise over intrastate commerce the same powers as are exercised by the Interstate Commerce Commission over interstate commerce.

ELECTIONS

(Supplementing "Advanced Civics," 344-350; "American Republic," 271-276.)

In Iowa there is a registration of voters in cities having a population of 3,500 or more. For such cities the council appoints for each voting precinct one person from each of the two great political parties to act as registers. The registration is made on the second Thursday prior to any general, city, or special election. Every person desiring to vote in a precinct where registration is necessary must appear before the registers and present evidence that he is duly qualified. Only persons of twenty-one years or older are entitled to be registered, but any applicant who would be twenty-one years of age on the day of the next

election, if otherwise qualified, is entitled to have his name entered upon the register. If a voter by reason of sickness is unable to go to the place of registry, the registers may visit the sick voter at his residence and place his name on the registration book, if they find him to be a duly qualified voter. On election day the registration officers are in session and will register voters who were absent from the city on the day fixed for the regular registration of voters. In precincts where registration is not required, any person claiming the right to vote at an election may be called upon to swear in a solemn manner that he is a duly qualified voter.

The general election for State, district, county and township officers is held on the Tuesday next after the first Monday in November. Elections in towns and cities are held on the last Monday in March.

The State constitution provides that voting shall be done by ballot. In the casting of ballots the secret or Australian plan is followed. The voter receives an unmarked ballot from the hands of an election officer and retires alone to the voter's booth, where he prepares his ballot by marking in the appropriate margin or space a cross (X) opposite the name of the candidate of his choice for each office to be filled or, if he desires to vote for all the candidates upon any ticket, he may do so by placing a cross in the circle at the head of the ticket. The voter may also insert in writing, in the proper place, the name of any person for whom he desires to vote, making a cross opposite the name. Before leaving the voting booth the voter must fold his ballot in such a manner as to conceal the marks thereon. When a voter is willing to swear that he is unable to read English, or that he is physically unable to mark his ballot properly, he may receive assistance from two election officers, who may mark the ballot as the voter directs, but who may not divulge the manner in which it was marked. Voting machines may be used where the

board of supervision of a county or the council of a city decides by a two-thirds vote to purchase and install them. A voter who is necessarily absent from home on election day is permitted to vote in the place he happens to be, providing he has applied to the auditor or clerk of his home county or city for a ballot and votes that ballot in the presence of the auditor or clerk in the county or city in which he is. The ballot thus voted is sent to the home voting precinct of the elector on or before the day of election, and is opened and counted as a regular ballot.

Any person offering or giving a bribe to a voter for the purpose of influencing his vote, or any voter receiving a bribe, is liable to a fine not exceeding $500, or to imprisonment in the county jail. Any person making an agreement to pay another a sum of money to refrain from voting is liable to fine or imprisonment, the person agreeing to refrain being liable to a similar punishment. The preventing of a voter by force or threats of force from casting his ballot, is punishable by fine and imprisonment, and the procuring of votes by intimidation is unlawful and punishable.

EDUCATION

(Supplementing "Advanced Civics," 351-359; "American Republic," 277-282.)

In accordance with the provisions of the constitution and the laws of the General Assembly, there has been established in Iowa a public school system which extends from the kindergarten and primary school to the university. The public schools are free to all persons between the ages of five and twenty-one. For certain classes of children attendance at school is compulsory, the law providing that any child between the ages of seven and sixteen years shall attend some public or parochial school for a period of not less than twenty-four consecutive weeks each year. If the child, however, has the equivalent of an eighth grade edu-

cation and is regularly employed, its attendance is not compulsory. Where a child lives more than two miles from a school the compulsory law does not apply unless transportation at public expense is furnished. Truant officers assist in enforcing the laws relating to school attendance.

The governing body of the school in Iowa is known as the Board of Directors. For purposes of school government every civil township is also a school township, and each school township is generally divided into a number of sub-districts, or it may exist as an independent and undivided district. In each sub-district of a school township the voters, on the first Monday in March, elect annually one sub-director. If the township contains an even number of sub-districts, one director at large is elected. The sub-directors acting together constitute the board of directors. Cities and towns are usually organized as independent school districts and have their own separate board of directors. When a majority of the voters in each and every sub-district of a township is in favor of independent school organization, each sub-district of such township may become a separate school district known as an independent rural district. In cities of the first class the board of directors consists of seven members; in cities of the second class, in towns and in cities having special charters, it consists of five members; and in independent rural districts it consists of three members. When a school township is not divided into sub-districts, a board of three directors at large is elected. In all cases members of the board of directors are chosen by the qualified voters of the district. In sub-districts the members of the board of directors are chosen for a term of one year; in all independent districts, for a term of three years. Women may vote at school elections upon questions relating to taxation or the issue of bonds, and they may serve as school officers.

The principal duties and powers of a board of directors are as follows:

1. To provide instruction for at least twenty-four weeks in each year for all persons of school age.

2. To estimate the amount of money necessary for the support of the schools. The school tax is actually levied by the county board of supervisors.

3. To care for school property, choose sites for school buildings, and erect school-houses.

4. To appoint the teachers of the school districts.

5. To employ a superintendent of schools.

An annual meeting of the voters of each school district is held in March. It is at this meeting that the directors are elected. The voters assembled in annual meetings also have power to direct the sale of school property; to vote a tax for purchasing ground for school purposes, for building school-houses; to add new branches to a course of study; and to instruct the directors that school buildings may or may not be used for meetings of public interest.

The county superintendent is elected by a convention composed of one representative from each township, city, town, and independent district in the county. The superintendent is elected for a term of three years. He serves as the organ of communication between the State department of public instruction and the various schools of the county. He visits the different schools of his county at least once during the school year. He examines applicants for teachers' certificates, the questions for the examination being furnished by the board of State educational examiners.[1] He holds an institute each year for the instruction of teachers in normal methods. He assists local

[1] This board consists of the Superintendent of Public Instruction, the president of the State University, the president of the State teachers' college, and of two members appointed by the Governor. The chief duty of the board is to hold examinations for State diplomas and certificates for teachers, and to issue such diplomas and certificates.

officers in planning for school buildings. He hears appeals in matters of school discipline. He receives a salary of $1500 per year, and the representatives of the school corporation appointing him may allow such further sums as they may deem just and proper.

CORPORATIONS

(Supplementing "Advanced Civics," 360-368; "American Republic," 285-292.)

The constitutional provisions governing private corporations in Iowa are as follows:

No corporation shall be created by special laws; but the General Assembly shall provide by general laws for the organization of all corporations hereafter to be created, except hereinafter provided.

The property of all corporations for pecuniary profit shall be subject to taxation the same as that of individuals.

The State shall not become a stockholder in any corporation, nor shall it assume or pay the debt or liability of any corporation, unless incurred in time of war for the benefit of the State.

No political or municipal corporation shall become a stockholder in any banking corporation directly or indirectly.

No act of the General Assembly, authorizing or creating corporations or associations with banking powers, nor amendments thereto, shall take effect, or in any manner be in force, until the same shall have been submitted, separately, to the people at a general or special election, as provided by law, to be held not less than three months after the passage of the act, and shall have been approved by a majority of all the electors voting for and against it at such election.

Subject to the provisions of this article, the General Assembly shall have power to amend or repeal all laws for the organization or creation of corporations, or granting of special or exclusive privileges or immunities, by a vote of two-thirds of each branch of the General Assembly; and no exclusive privileges, except as in this article provided, shall ever be granted.

In Iowa any number of persons may form a corporation for the transaction of any lawful business. Among the powers of the corporation are the following:

1. To have perpetual succession.
2. To sue and be sued by its corporate name.
3. To render the interest of the stockholders transferable.

4. To exempt the private property of its members from liability for corporate debts.

5. To make contracts, acquire and transfer property, possessing the same power in such respects as natural persons.

6. To establish by-laws and make all rules and regulations necessary for the management of its affairs.

In Iowa, as in most other States, trusts, pools, and combinations in restraint of trade are unlawful. The law declares that any person, corporation, partnership, or other association of persons that enters into an agreement with other persons or other associations engaged in like business to fix prices, or to divide profits, or to form a trust or pool, or to prevent full and free competition among buyers and sellers, commits an offense punishable by a heavy fine and imprisonment in the county jail. Any person or corporation injured by the acts of a trust, person or combination, may recover damages to the full amount of the injury sustained.

LABOR

(Supplementing "Advanced Civics," 369-375; "American Republic," 293-299.)

In Iowa there are no constitutional provisions in respect to labor, but the General Assembly has passed many laws safeguarding the interests of toilers. One of these laws is a workman's compensation act which specifies the amount of compensation which shall be paid to an employee for injuries sustained in the course of his employment in case the employer has consented to be bound by the terms of the act, and any employer is presumed to have consented, unless he has formally elected to reject the law.[1] For example, if an employee meets with an accident which results in death, the employer must pay the reasonable expense

[1] If the employer elects to reject the law and its provision, he is then liable for injuries or damage as assessed by a jury in a court trial.

of the employee's last sickness and burial expenses to an amount not exceeding $100. In addition the employer must pay to the dependents of the deceased person a weekly payment equal to fifty per cent of his average weekly wages, the amount thus paid to be not more than ten dollars nor less than five dollars per week, for three hundred weeks. For accidents resulting in disability partial in character compensation is based upon the extent and nature of the disability. For example, for the loss of a thumb the injured workman receives fifty per cent of his daily wages for a period of forty weeks, while for the loss of a hand he receives fifty per cent of his daily wages for one hundred and fifty weeks. No compensation, however, is allowed where an employee has wilfully injured himself, or where intoxication of the employee was the proximate cause of the injury. The act does not apply to household or domestic servants, or to laborers employed in agricultural pursuits. Where the State or a county or a municipality is the employer, the act is obligatory and compulsory upon both the employer and employee. For the administration of the workmen's compensation act there is a State officer known as the Iowa Industrial Commissioner.

The length of the working day of certain classes of workers is limited by law. Railway employees engaged in connection with the running of trains cannot legally remain on duty more than sixteen consecutive hours in any consecutive twenty-four hours. No child under sixteen years of age may be legally employed in any mine, manufacturing establishment, factory, mill, laundry, or in any store or mercantile establishment when more than eight persons are employed before the hour of seven o'clock in the morning or after six o'clock in the evening. The employment of children under fourteen years in the occupations just cited is forbidden entirely, except that the law does not prohibit a child from working in an establishment owned and operated by his own parents.

When between an employer and his employees there arises a controversy which the parties thereto are unable to settle, and which is likely to result in a strike or lockout, or which menaces the public peace and jeopardizes the welfare of the community, the Governor, upon the application of both parties to the dispute, may be called upon to assist in the formation of a board of arbitration and conciliation, to which the controversy in question may be referred. The board at once proceeds to make an investigation of the causes of the dispute and it advises the respective parties what in its judgment ought to be done to adjust and settle the difficulty. Within ten days from the date of its appointment the investigation of the board must be brought to an end. While the investigation is being made neither party may engage in a strike nor lockout. Any decision made by the board is binding for a period of one year upon the parties who have joined in an application for arbitration.

To assist in finding employment for the unemployed there is established in the office of the commissioner of the bureau of labor stationed at Des Moines, a department known as the State Free Employment Bureau. The duty of this bureau is to make lists of the number of applicants for employment and the character of the employment desired; and to cause such lists to be pasted in conspicuous places throughout the State. The bureau may also adopt and use such other methods of disseminating information as will be helpful in bringing the unemployed in touch with those desiring to employ workers. The services of the bureau are rendered free of charge.

CRIME

(Supplementing "Advanced Civics," 377-384; "American Republic," 301-307.)

The fundamental rights of persons accused of crimes are stated in the bill of rights of the State constitution (p. 7).

Persons convicted of crime, the punishment of which is confinement in a penitentiary, are imprisoned in the penitentiary at Fort Madison. Male convicts between the ages of sixteen and twenty (except those convicted of murder, treason and certain other crimes) are confined in the State reformatory. In this institution also are confined all females convicted of felony, that is, of an offense that is generally punishable by imprisonment in a penitentiary. In the reformatory the employment of inmates is such as is conducive to the learning of useful trades and callings and to intellectual and moral development. Inmates in the reformatory and also those in the penitentiary receive upon their release a certain compensation for the services which they may have rendered during their imprisonment. In the penitentiary and also in the reformatory the sentence imposed is indeterminate, but the imprisonment must not be for a longer term than the one provided by law for the crime committed. Persons, however, convicted of treason or murder do not have the benefit of the indeterminate sentence. Prisoners (except those serving life sentences) are released on parole. When in the opinion of the board of parole (p. 20) a paroled prisoner has given evidence that he will remain at liberty without violating the law and that his final release is not incompatible with the welfare of society, he may be granted his complete freedom.

Children under the age of sixteen are tried in district (or superior) courts holding sessions as juvenile courts. When a boy or girl under the age of sixteen is found guilty in the juvenile court of having committed a crime not punishable by death or imprisonment for life, the judge of the court may, in its discretion, instead of entering a judgment of conviction, commit the child to the care or custody of a probation officer, and may allow the child to remain in its own home subject to the visitation of the probation officer. Or the court may cause the child to be boarded out

in some suitable family home; or it may commit the child to an industrial school or to any State institution established for the care of delinquent children. Whatever disposition may be made of the juvenile offender, the chief object sought by the authorities is his (or her) reformation. Whenever, in the judgment of the court, the reformation of the child is complete, it is released from custody. But no person can be held in custody as a juvenile offender beyond the age of twenty-one.

CHARITIES

(Supplementing "Advanced Civics," 385-389; "American Republic," 308-312.)

In Iowa the agencies of charity are many and far-reaching. The law provides that any poor person who is unable to earn a livelihood by labor must be supported by near relatives—father, grandfather, mother, grandmother, children, grandchildren (male)—if they have sufficient means. All poor and indigent persons who cannot be supported by relatives are cared for either by the township trustees, or by the county board of supervisors. Indigents whose needs are temporary are generally relieved by the trustees, but those who require permanent aid are cared for by the supervisors. In almost every county there is a county farm or workhouse, where needy persons of the county may be cared for. In some cases deserving persons receive assistance in their homes, the township trustees supplying them with money, food and clothing.

In addition to the charity which is administered by local authorities, there are numerous State institutions established for the support and care of the sick, the insane, the deaf, the blind, the feeble-minded, and other classes of defectives and delinquents. The purpose of the laws governing these institutions is to provide intelligent and scientific treatment and care for the dependent wards of the

State, and to provide for delinquents such conditions of education and training as will restore the largest possible portion of them to useful citizenship. All such charitable and corrective institutions, as well as the penal institutions, are under the management and control of the State Board of Control (p. 21). The institutions governed by this board are as follows:

Iowa Soldiers' Home at Marshalltown.
Iowa Soldiers' Orphans' Home at Davenport.
School for the Deaf at Council Bluffs.
Institution for Feeble-minded Children at Glenwood.
State Sanatorium for the Treatment of Tuberculosis at Oakdale.
Iowa Industrial School for Boys at Eldora.
Iowa Industrial School for Girls at Mitchellville.
Mt. Pleasant State Hospital at Mt. Pleasant.
Independence State Hospital at Independence.
Clarinda State Hospital at Clarinda.
Cherokee State Hospital at Cherokee.
State Hospital for Inebriates at Knoxville.
Hospital for Female Inebriates at Mt. Pleasant.
Penitentiary at Ft. Madison.
Reformatory at Anamosa.
State Hospital and Colony for Epileptics at Woodward.

THE POLICE POWER OF THE STATE

(Supplementing "Advanced Civics," 390-396; "American Republic," 313-318.)

In the exercise of the police power to preserve and protect the public health, boards of health have been established in townships, in cities and towns, and in the State at large. In the township the township trustees constitute the board of health. In cities and towns the mayor and council act as the town or city board of health. In cities governed under a special charter the board of health consists of five members, a majority of whom, including the mayor, must be members of the city council. The local board of health makes such regulations as are necessary to protect the health of the community; it makes regulations respecting nuisances; it proclaims and establishes a quar-

antine against all infectious or contagious diseases; it notifies persons living in houses unfit for occupancy by reason of unsanitary conditions that their dwellings must be put into a proper condition of cleanliness, and that if this is not done within a reasonable time the occupants will be forcibly removed; it isolates persons sick with smallpox or other diseases dangerous to public health; it enforces the rules of the State Board of Health.

The State Board of Health (p. 20) has charge of and general supervision over the interests of the health and life of the citizens of the State. It has power to make regulations respecting the public health, and to declare such regulations when made to have the force of legislative enactments. The State Board of Health, through the local boards of health, establishes, maintains and releases quarantine; it requires the disinfection of persons and premises exposed to contagion; it supervises, through its sanitary engineer, the installing of water works and the construction of sewerage systems; it investigates into the causes of disease, and issues to the people the State instructions relating to the prevention of transmissible diseases and how to correct unsanitary conditions which may exist in any part of the State.

The police power is invoked to prevent cruelty to animals. Any person guilty of tormenting, overworking, cruelly beating, maiming or starving an animal is liable to heavy fine and to imprisonment in the county jail. The keeping of places where animals are caused to fight with each other is also punishable by law.

In Iowa the manufacture and sale of intoxicating liquors are forbidden. The prohibition is effected through a law of the General Assembly, which reads as follows:

No one, by himself, clerk, servant, employee or agent, shall for himself or any person else, directly or indirectly, or upon any pretense, or by any device, manufacture, sell, exchange, barter, dispense, give in consideration of the purchase of any property or of any services or in evasion of the statute, or keep for sale any intox-

icating liquor, which term shall be construed to mean alcohol, ale, wine, beer, spirituous, vinous and malt liquor, and all intoxicating liquor whatever, except as provided in this chapter, or solicit, take or accept any order for the purchase, sale, shipment, or delivery of any such liquor, or aid in the delivery and distribution of any intoxicating liquor so ordered or shipped, or own, keep, or be in any way concerned, engaged or employed in owning or keeping any intoxicating liquor with intent to violate any provision of this chapter, or authorize or permit the same to be done.

ADDITIONAL PROVISIONS OF THE CONSTITUTION

Most of the important provisions of the constitution of Iowa have been stated in the preceding pages. Below are the important provisions of the constitution that have not been stated:

CENSUS

The general assembly shall, in the years one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-three, one thousand eight hundred and sixty-five, one thousand eight hundred and sixty-seven, one thousand eight hundred and sixty-nine, and one thousand eight hundred and seventy-five, and every ten years thereafter, cause an enumeration to be made of all the inhabitants of the state.

SENATORS; NUMBER; APPORTIONMENT

The senate shall be composed of fifty members to be elected from the several senatorial districts, established by law and at the next session of the general assembly held following the taking of the state and national census, they shall be apportioned among the several counties or districts of the state, according to population as shown by the last preceding census.

REPRESENTATIVES; NUMBER; APPORTIONMENT; DISTRICTS

The house of representatives shall consist of not more than one hundred and eight members. The ratio of representation shall be determined by dividing the whole number of the population of the state as shown by the last preceding state or national census, by the whole number of counties then existing or organized, but each county shall constitute one representative district and be entitled to one representative, but each county having a population in excess of the ratio number, as herein provided of three-fifths or more of such ratio number shall be entitled to one additional representative, but said addition shall extend only to the nine counties having the greatest population.

RATIO AND APPORTIONMENT

The general assembly shall, at the first regular session held following the adoption of this amendment, and at each succeeding regular session held next after the taking of such census, fix the ratio of representations, and apportion the additional representatives, as hereinbefore required.

School Funds and School Lands

UNDER CONTROL OF THE GENERAL ASSEMBLY

The educational and school fund and lands shall be under the control and management of the general assembly of this state.

PERMANENT FUND

The university lands, and the proceeds thereof, and all moneys belonging to said fund shall be a permanent fund for the sole use of the state university. The interest arising from the same shall be annually appropriated for the support and benefit of said university.

LANDS APPROPRIATED

The general assembly shall encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement. The proceeds of all lands that have been, or hereafter may be, granted by the United States to this state, for the support of schools, which may have been or shall hereafter be sold, or disposed of, and the five hundred thousand acres of land granted to the new states, under an act of congress, distributing the proceeds of the public lands among the several states of the Union, approved in the year of our Lord one thousand eight hundred and forty-one, and all estates of deceased persons who may have died without leaving a will or heir, and also such per cent as has been or may hereafter be granted by congress, on the sale of lands in this state, shall be, and remain a perpetual fund, the interest of which, together with all rents of the unsold lands, and such other means as the general assembly may provide, shall be inviolably appropriated to the support of common schools throughout the state.

FINES, ETC., HOW APPROPRIATED

The money which may have been or shall be paid by persons as an equivalent from exemption from military duty, and the clear proceeds of all fines collected in the several counties for any breach of the penal laws, shall be exclusively applied in the several counties in which such money is paid, or fine collected, among the several school districts of said counties, in proportion to the number of youths subject to enumeration in such districts, to the support of common

schools, or the establishment of libraries, as the board of education shall from time to time provide.

[There are statutory provisions on this subject.]

PROCEEDS OF LANDS

The general assembly shall take measures for the protection, improvement, or other disposition of such lands as have been, or may hereafter be reserved, or granted by the United States, or any person or persons to this state, for the use of the university, and the funds accruing from the rents or sale of such lands, or from any other source for the purpose aforesaid, shall be, and remain, a permanent fund, the interest of which shall be applied to the support of said university, for the promotion of literature, the arts and sciences, as may be authorized by the terms of such grant. And it shall be the duty of the general assembly, as soon as may be, to provide effectual means for the improvement and permanent security of the funds of said university.

AGENTS OF SCHOOL FUNDS

The financial agents of the school funds shall be the same that, by law, receive and control the state and county revenue, for other civil purposes, under such regulations as may be provided by law.

DISTRIBUTION

The money subject to the support and maintenance of common schools shall be distributed to the districts in proportion to the number of youths, between the ages of five and twenty-one years, in such manner as may be provided by the general assembly.

LIBRARY OF CONGRESS
0 029 827 434 6